



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Willibald Kraus
FOR : BLOCKING OF RETURN AIR
SERIAL NO. : 08/230,083
FILED : April 20, 1994
ART UNIT : 3744
EXAMINER: : H. Joyce
LAST OFFICE ACTION : April 9, 1998
ATTORNEY DOCKET NO. : TRW 2 136-4

Cleveland, Ohio 44114-2518
August 10, 1998

RESPONSE

Assistant Commissioner for Patents
Washington, D. C. 20231

Dear Sir:

Responsive to the Examiner's Action mailed April 9, 1998 in connection with the above-referenced U.S. patent reissue application, the applicant respectfully requests reconsideration of the application.

Claims 1-14 and 16 are pending. The Examiner's indication of allowability of claims 1-14 is acknowledged and appreciated. However, claim 16 stands rejected.

More particularly, the Examiner rejected claim 16 under the equitable "recapture" doctrine. It is his position that claim 16 adds no limitation to what was recited in originally filed claim 1 and, thus, violates this doctrine.

It is respectfully submitted, however, that claim 16 does indeed add limitations to that which was recited in application claim 1 and, therefore, does not violate the recapture doctrine. More specifically, application claim 1 recited the following:

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